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8 JAMES LA VELL HARRIS,
9 Plaintiff,
10 v.
11 STATE OF CALIFORNIA, et al.,
12 Defendants.

Case No. 25-cv-01594-RMI

**ORDER GRANTING IFP AND
STAYING SERVICE OF PROCESS
PURSUANT TO 28 U.S.C. § 1915(E)(2)**

Re: Dkt. Nos. 1, 2, 7

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14 Upon consideration of the Motion for Leave to Proceed *in forma pauperis*, it is ORDERED
15 that the Motion is GRANTED.

16 Further, pursuant to 28 U.S.C. § 1915(e)(2), the court has determined that the Complaint in
17 this case is due to be dismissed. Rule 8 of the Federal Rules of Civil Procedure requires “a short
18 and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8.
19 However, the Complaint is anything but plain. Plaintiff has sued the State of California and the
20 Konocti County Water District¹ for something related to “the processing of the bill of exchange.”
21 Comp. (dkt. 1). Based on the facts in the Complaint, something was mailed to Defendants in
22 December and then 30 days “after the non-response of Defendant Konocti County Water District,”
23 Plaintiff filed a commercial affidavit in Tucson, Arizona. Plaintiff seeks damages and a
24 preliminary injunction related to these events.

25 The court is unable to decipher this claim, or claims, and the basis of jurisdiction
26 therefrom. Certainly, this Complaint falls short of the requirements of Rule 8. Under 28 U.S.C. §

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28 ¹ There are multiple other entities listed as Defendants in the case header of the Complaint, but
only these two Defendants are listed as “parties” in the body of the Complaint.

1 1915(e)(2), which requires the court to dismiss an action that “fails to state a claim on which relief
2 may be granted,” the Complaint is properly dismissed. In addition, this case appears to be
3 indistinguishable from the Complaint filed by Plaintiff in 1:25-cv-01587-RMI and should be
4 dismissed on that basis as well.

5 Accordingly, it is ordered that service of process of the current Complaint is STAYED and
6 Plaintiff shall, **on or before April 10, 2025**, file an amended complaint in accordance with Rule 8
7 that clearly sets forth his claims as to each party and properly sets forth this court’s jurisdiction to
8 hear this case. Failure to abide by this Order will result in the undersigned recommending that this
9 case be dismissed with prejudice.

10 In light of this Order, the City of Clearlake’s *Ex Parte* Application for Clarification (dkt. 7)
11 is DENIED as MOOT.

12 **IT IS SO ORDERED.**

13 Dated: March 10, 2025

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ROBERT M. ILLMAN
United States Magistrate Judge